

The Salisbury Planning Board held its regular meeting Tuesday, February 27, 2007, in the City Council Chamber of the Salisbury City Hall located at 217 S. Main Street at 4 p.m. with the following being present and absent:

PRESENT: Dr. Mark Beymer, Robert Cockerl, Lou Manning, Brian Miller, Sandy Reitz, and Diane Young

ABSENT: Nathan Chambers, Tommy Hairston, Valarie Stewart, Albert Stout, and Price Wagoner

STAFF: Preston Mitchell, Diana Moghrabi, David Phillips

Chairman Brian Miller called the meeting to order and offered the invocation. The minutes of the January 23, 2007, meeting were approved as published. The Planning Board adopted the agenda as submitted.

NEW BUSINESS

A. Zoning Map Amendments

- Explanation of procedure
- Staff Presentation
- Courtesy Hearing
- Board discussion
- Statement of Consistency and Motion

- 1) **Z-02-07** Tim Lesley
Address: Unnumbered White Farm Road
Tax Map–Parcel: Portion of 320-115
Size / Scope: Approximately 10 acres, encompassing one parcel

Request is to rezone a portion of Tax Map 320, Parcel 115 from A-1 (Agriculture) district to R-8 (Single-Family Residential) district.

Preston Mitchell made a staff presentation. Below are excerpts from the staff report. Property is located along the west side of White Farm Road approximately 1/3-mile north of Jake Alexander Boulevard North. The petition area consists of the majority portion of TM&P 320-115—everything above the south property boundary that is currently zoned A-1 district.

The property is undeveloped and heavily treed. This property is not associated with the Fountain Quarters project.

Proposed Zoning:

Single family-8 Residential District (R-8) is intended primarily for detached single-family dwellings and their customary accessory buildings or structures, and intended to establish areas for a density of development relative to the lot size requirements of this district.

Existing Zoning:

The Agricultural District (A-1) is intended primarily as a district for bona fide farms and their related uses, provided such uses are an integral part of a specific bona fide farm. The continuance of agricultural endeavors and forestry are encouraged within this district.

<i>Location</i>	<i>Existing Land Uses</i>	<i>Existing Zoning</i>
North of property	Undeveloped Land	A-1
East of property	Small commercial office adjacent to site, and mobile homes across White Farm Road	B-6-S, RD-B
South of property	Undeveloped Land	R-8
West of property	Undeveloped Land	A-1, R-8

Salisbury 2000 Strategic Growth Plan

Forestry, agriculture, and very low density residential shall be the preferred land uses in the rural part of the planning area, as identified on the growth strategy map. Urban level development shall not be encouraged in the rural area.

This petition area, although along the southern end of a large area of A-1 (Agriculture) district, is actually located within the primary growth boundary. The plan defines the primary growth area as that portion of the urban growth area where urban level services or facilities are already in place or can be provided most cost effectively. This area is where growth and development is to be especially encouraged. Staff does not find this petition to be in conflict with the Salisbury 2000 Strategic Growth Plan's goal to preserve agriculture and forestry activities in the rural part of the planning area.

Salisbury Vision 2020 Comprehensive Plan

This petition also falls within the Salisbury Vision 2020 Comprehensive Plan's primary growth area. It falls within the potential sewer service area for the extension of sewer service. Both plans recognize that the primary growth areas may not have full access to all services right now, but extension of such services can be expected and at minimal cost compared to further-removed areas of the Salisbury Vision 2020 Comprehensive Plan area.

This 10-acre site could generate approximately 54 lots if using the minimum lot size of 8,000 square feet. This would generate a medium density of 5.4 units per acre.

This area needs staff attention for long-range planning. There is already a precedent for R-8 zoning in this area. Staff believes that this petition is consistent with the goals, objectives, and policies of the 2000 Strategic Growth Plan and the Salisbury Vision 2020 Comprehensive Plan; therefore, staff recommends approval of the petition.

Those speaking in opposition

Nadine Starnes lives in the Enochville/Kannapolis area and owns seven acres behind the property being considered for rezoning; as a matter of fact, her father sold the land (which was her Grandfather's) to the current owner making the request.

She has concerns that the rezoning will affect the air quality due to the probable clearing of the trees. She fears not having access to her property in the future. "We need space, we like the country—we have way too many of these cracker boxes everywhere." Tax increases and a need for schools will follow development. Can a road cross the Colonial pipeline? We have empty homes all over town already not being used. Step back, get back to basics and slow the growth.

Russell Barber resides at 650 White Farm Road and he has lived there 50 years. His property is adjacent to the property requesting this rezoning. There is a tract of land nearby that was damaged from a tire fire; smoke and soot has never been cleaned up and he would like to call attention to that problem.

Development can take place with well and septic on minimum 20,000 square-foot lots. With water and sewer, development can be on 8,000 square-foot lots. Mr. Barber had concerns about any right-of-way for utilities on his property. He asked if the new Land Development Ordinance was in place and it is not.

Mr. Barber suggested that the City take a broader viewpoint to see how development affects those around this area; stricter laws are needed to protect property owners. This is the second time this year the area has fallen victim to development.

Wade Myers of 230 Westridge Road owns property north of the site requesting rezoning. Runoff onto his property causes a lot of erosion. He was surprised to find out how much land has been rezoned to R-8. He believes that people living here are going to be pushed off of their property and way of life by development.

Dwight Wilhem lives on Deerbrook Drive—the property adjoining Hidden Creek. The property won't perk. "They" are going through a *leapfrog* process. The only reason they want to do this is to get a waterline up through there.

Dan Mowery of 430 White Farm Road pointed out the fact that his property joins this property. One house would be fine. He stated that he does not want chicken shacks.

Those speaking in favor

Tim Lesley, the petitioner, said it was interesting to hear that his neighbors know what he is going to do with the property when he does not yet know. There is not a detailed development plan and the property is currently for sale. Water and sewer would have to be installed at his expense; the City has not agreed to anything. The person who complained the loudest has half of their property zoned R-8. The development process would bring forth another opportunity for property owners to offer their input. He is only asking that the R-8 zoning on part of the property be extended to the property line.

Board discussion

Lou Manning suggested that the fire damage would have to be cleaned up before anyone could develop that property. He believed that NC DENHR (877-623-6748) could be contacted for information concerning that problem.

Mark Beymer said he tends to favor the rezoning because it is in the primary growth boundary. His biggest concern for development would be traffic increasing on White Farm Road.

Robert Cockerl appreciates the concerns of the surrounding property owners. Since part of this property is already zoned R-8, and since it is in the primary growth boundaries, he would have to recommend approval.

Diane Young said she would probably be alone in her position, but she has concerns about the amount of housing going in directly across the road in Fountain Quarters and the impact of that development on this area. She will have difficulty rezoning any more land R-8 and giving the ability for a high density of housing there until we can see how everything is going to “shake out.” She recognizes the current zoning and the primary growth area, but has to go with her gut.

Mark Beymer made a MOTION stating that the Planning Board finds and determines that rezoning petition Z-02-07 is consistent with the goals, objectives, and policies of the Strategic Growth Plan and the Salisbury Vision 2020 Comprehensive Plan, and hereby recommends approval. Lou Manning seconded the motion. The Planning Board voted 5-1 to recommend approval of the rezoning to City Council. Diane Young voted to deny.

March 20, 2007, City Council will hold a public hearing at 4 p.m.; City Council has final approval.

There is a threshold that could trigger a development plan hearing; that would present an opportunity for citizens to speak at Planning Board and City Council meetings.

OTHER BOARD BUSINESS

- Sandy Reitz mentioned an editorial in the *Salisbury Post* February 21, 2007, that favored sidewalks.
- Preston Mitchell praised Steve Weatherford and his team for the sidewalk extension they did on Arlington Street from East Innes Street to Wal-Mart. It is now fully connected with sidewalk in that area.
- Sandy Reitz also mentioned that there is a blind patron that takes the bus to the mall and walks to the YMCA on Jake Alexander Boulevard and there are no sidewalks.
- Brian Miller and Lou Manning chimed in with other examples of sidewalks that are being used (like Brenner Avenue).
- Dan Mikkelson introduced Bryan Alston, Engineer with the City of Salisbury. He came to work for the City last week from Winston-Salem.
- The City Council Retreat report will be made at a later date.
- The Public Art Committee and Public Services have installed another History and Art Trail marker at the site of an old theater (now razed) where the Salisbury Post now stands. This marker acknowledges integration of the theater. It is the understanding of the Chair that Planning Board member Albert Stout was among the students who protested 45 years ago today and moved forward the cause for change.

The next Planning Board meeting is March 13, 2007.

There being no further business to come before the Planning Board, the meeting was adjourned at 4:53 p.m.

Brian Miller, Chairman

Lou Manning, Vice Chairman

Secretary, Diana Moghrabi